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Human Rights Council
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Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Albania, Angola,* Argentina,* Australia,* Austria,* Belgium, Benin,* Bolivia (Plurinational State of), Brazil,* Bulgaria,* Canada,* Chile,* Colombia,* Costa Rica,* Croatia,* Cyprus,* Czech Republic,* Denmark,* El Salvador, Finland,* France, Germany, Greece,* Honduras,* Iceland,* Ireland,* Israel,* Liechtenstein,* Luxembourg,* Malta,* Mexico, Montenegro,* Netherlands, New Zealand,* Norway,* Paraguay, Portugal, Slovenia, Spain,* Sweden,* Ukraine,* United States of America,* Uruguay:* draft resolution

32/... Protection against violence and discrimination based on sexual orientation and gender identity

The Human Rights Council,

Reaffirming the Universal Declaration of Human Rights,

Recalling that the Vienna Declaration and Programme of Action affirms that all human rights are universal, indivisible and interdependent and interrelated, that the international community must treat human rights globally in a fair and equal manner, on the same footing, and with the same emphasis, and that while the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms,

Recalling also General Assembly resolution 60/251 of 15 March 2006, in which the Assembly stated that the Human Rights Council should be responsible for promoting universal respect for the protection of all human rights and fundamental freedoms for all, without distinction of any kind and in a fair and equal manner,

Recalling further Human Rights Council resolutions 17/19 of 17 June 2011 and 27/32 of 26 September 2014,

1. *Reaffirms* that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set forth in the Universal

* State not a member of the Human Rights Council.

Declaration of Human Rights, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status;

2. *Deplores* acts of violence and discrimination, in all regions of the world, committed against individuals because of their sexual orientation or gender identity;

3. *Decides* to appoint, for a period of three years, an Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity, with the following mandate:

(*a*) To assess the implementation of existing international human rights laws and standards with regard to ways to overcome violence and discrimination against persons on the basis of their sexual orientation or gender identity, while identifying both best practices and gaps;

(*b*) To raise awareness of violence and discrimination against persons on the basis of their sexual orientation or gender identity, and to address the root causes of such violations;

(*c*) To engage in dialogue and to consult with States and other relevant stakeholders, including United Nations agencies, programmes and funds, regional human rights mechanisms, national human rights institutions, civil society organizations and academic institutions;

(*d*) To work in cooperation with States in order to foster the implementation of measures that contribute to the protection of all persons against violence and discrimination based on sexual orientation and gender identity;

(*e*) To address the multiple, intersecting and aggravated forms of violence and discrimination faced by persons on the basis of their sexual orientation and gender identity;

(*f*) To conduct, facilitate and support the provision of advisory services, technical assistance, capacity-building and international cooperation in support of national efforts to combat violence and discrimination against persons on the basis of their sexual orientation or gender identity;

4. *Requests* the Independent Expert to report annually to the Human Rights Council, starting from its thirty-fifth session, and to the General Assembly, starting from its seventy-second session;

5. *Calls upon* all States to cooperate with the Independent Expert in the discharge of the mandate, including by providing all information requested, to give serious consideration to responding favourably to the requests of the Independent Expert to visit their countries and to consider implementing the recommendations made in the mandate holder's reports;

6. *Encourages* all relevant stakeholders, including United Nations agencies, programmes and funds, regional human rights mechanisms, national human rights institutions, national independent monitoring frameworks, the private sector, donors and development agencies to cooperate fully with the Independent Expert to enable the mandate holder to fulfil his or her mandate;

7. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to provide the Independent Expert with all the human, technical and financial resources necessary for the effective fulfilment of his or her mandate;

8. *Decides* to remain seized of this issue.